

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

WAKEITHA M. BELL,	:	Case No. 1:23-cv-212
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	Magistrate Judge Stephanie K. Bowman
v.	:	
	:	
MERCY HOSPITAL, et al.,	:	
	:	
Defendants.	:	

ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. 5),
OVERRULING OBJECTIONS, and TERMINATING CASE

This action is before the Court on Magistrate Judge Stephanie K. Bowman's Report and Recommendation (Doc. 5). Magistrate Judge Bowman recommends dismissing this case with prejudice under 28 U.S.C. § 1915(e)(2). Plaintiff objects generally, but her objections fail to point out specific error. Such objections have the same effect as a failure to object. *Howard v. Sec'y of Health & Hum. Servs.*, 932 F.2d 505, 509 (6th Cir. 1991).

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a de novo review of the record in this case. Upon such review, the Court finds that Plaintiff's objections fail to identify any error and are accordingly **OVERRULED**.

Thus, the Court **ORDERS** as follows:

- (1) The Court **ADOPTS** the Report and Recommendation (Doc. 5).
- (2) This case is **DISMISSED WITH PREJUDICE** for the reasons stated in the

Reports.

(3) Plaintiff's motion to add more hospitals (Doc. 9) is **DENIED AS MOOT**.

(4) The Court **CERTIFIES** pursuant to 28 U.S.C. § 1915(a) that, for the reasons expressed in the Report, an appeal of this Order adopting the Report would not be taken in good faith, and therefore **DENIES** plaintiff leave to appeal *in forma pauperis*. See *McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997), *overruled on other grounds*, *Jones v. Bock*, 549 U.S. 199, 203 (2007).

(5) Because the above-captioned case constitutes the third case initiated by Plaintiff *in forma pauperis* as to which dismissal with prejudice has been recommended for failure to state a claim under 28 U.S.C. § 1915(e)(2), Plaintiff is hereby **WARNED** that if she files additional cases subject to summary dismissal on initial screening, she is likely to be deemed to be a vexatious litigator and may be subjected to sanctions and/or pre-filing restrictions.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 
JUDGE MATTHEW W. McFARLAND